

<p><b>BECKY L. KIRK,</b></p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p><b>MICHAEL J. ASTRUE</b>  <b>COMMISSIONER of Social Security,</b></p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil No. C07-5129 FDB</p> <p><b>ORDER FOR 42 U.S.C. § 406(b)</b>  <b>ATTORNEY’S FEES</b></p>
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THIS MATTER having come on regularly before the undersigned upon Plaintiff's Motion for Attorney's Pursuant to 42 U.S.C. § 406(b) and the Defendant having no objection, the Court having considered the contentions of Plaintiff, good cause having been shown for entry of the Order, now therefore, it is hereby

ORDERED that Plaintiff's attorney Rosemary Schurman is awarded gross attorney's fees pursuant to 42 U.S.C. § 406(b) in the amount of \$ 20,339.50, minus any processing fees allowed by statute and it is further,

ORDERED that Plaintiff's attorney refund \$4,821.25, to Plaintiff, the sum received as attorney's fees under the Equal Access to Justice Act, which represents the total of the smaller fee to the claimant. Pub. L. No. 99-80, § 99 Stat. 183, 186 (1985); *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), provided that such refund may be paid to plaintiff's administrative hearing attorney, Ann W. Cook, for 42 USC § 406(a) fees that are approved by the Social Security Administration.

1 Dated this 5<sup>th</sup> day of January, 2009

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4 FRANKLIN D. BURGESS  
5 UNITED STATES DISTRICT JUDGE  
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7 Presented by:

8 s/Rosemary B. Schurman

9 Rosemary B. Schurman, WSBA 11451

10 Attorney for Plaintiff  
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